

IDAHO PROFESSIONAL STANDARDS COMMISSION

In the matter of the certificates of:)	Case No. 21638
)	
Melodie Hathorne,)	STIPULATION
)	
Respondent.)	
_____)	

BACKGROUND

The Professional Standards Commission received an allegation of unethical conduct concerning Melodie Hathorne. Following an investigation, the Executive Committee of the Professional Standards Commission reviewed the information before it and determined that probable cause exists for initiating an administrative action against Melodie Hathorne's certificates. The Executive Committee has recommended the following Stipulation.

STIPULATION

1. This is an agreement (Stipulation) between Melodie Hathorne (Ms. Hathorne) and the Executive Committee (the Executive Committee) of the Professional Standards Commission (the Commission).
2. If Ms. Hathorne wishes to agree to this Stipulation, she must sign and return this Stipulation and any attachments to the Commission by 5:00 p.m. (mountain time) on September 8, 2017, unless she has been granted an extension.
3. After Ms. Hathorne and the Executive Committee agree to and sign this Stipulation, the Stipulation must be approved by the Commission, and the Commission must enter the attached consent order, before this Stipulation resolves the matter.
4. A signed copy of this Stipulation may be submitted via mail or fax to:

Professional Standards Commission
650 West State Street, 2nd Floor
P. O. Box 83720
Boise, ID 83720-0027
Fax: (208) 334-2228 (Attn: Professional Standards Commission)

STIPULATION - 1
Melodie Hathorne

A. Stipulated Facts and Law

5. The Commission regulates teacher certification in the State of Idaho.
6. Ms. Hathorne holds the following certificates and endorsement:
 - a. Standard Secondary Certificate with English 6/12 endorsement – effective September 1, 2014 – valid until August 31, 2019;
7. Ms. Hathorne was a language arts teacher with Twin Falls School District during the relevant time.
8. On or about August 13, 2016, a party involving juvenile students and the consumption of alcohol took place at Ms. Hathorne's residence while she was there.
9. The Executive Committee determined that probable cause exists for initiating an administrative action against Ms. Hathorne for violating the following laws and rules governing teacher certification:
 - a. Code of Ethics Principle II (Idaho Admin. Code r. 08.02.02.076.03.i).
10. Ms. Hathorne, although not admitting that she violated the laws and rules cited in paragraph 9, acknowledges that there is sufficient evidence to support a finding of a violation of the laws and rules cited in paragraph 9.

B. Stipulated Discipline

11. If this Stipulation is approved by the Commission, the following discipline will be imposed by the Commission on Ms. Hathorne's certificates:
 - a. the Commission issue a letter of reprimand.
12. Any costs associated with Ms. Hathorne's compliance with the terms of this Stipulation are her responsibility.
13. During the pendency of this Stipulation, Ms. Hathorne will comply with all laws and rules governing teacher certification in Idaho.

C. Presentation of this Stipulation

14. Once Ms. Hathorne signs this Stipulation and timely returns it to the Commission, and the Executive Committee signs this Stipulation, the Deputy Attorney General assigned to the Commission will present this Stipulation to the Commission at the Commission's next business meeting.

15. The Commission may accept, reject, or modify the Stipulation.

16. If the Commission modifies this Stipulation, it must receive Ms. Hathorne's approval on any modification before the Stipulation is effective.

D. Waiver of Rights

17. If this Stipulation is approved by the Commission, Ms. Hathorne knowingly, intelligently, and voluntarily waives the following rights:

- a. the right to a hearing;
- b. the right to confront and cross-examine witnesses;
- c. the right to present evidence or to call witnesses, or to testify at a hearing;
- d. the right to reconsideration of the Commission's orders;
- e. the right to judicial review of the Commission's orders; and
- f. other rights accorded by the Idaho Administrative Procedure Act, and the law and rules governing teacher certification in the State of Idaho.

18. If this Stipulation is approved by the Commission, the Commission may impose discipline upon Ms. Hathorne's certificate without further process.

19. By signing this Stipulation, Ms. Hathorne agrees to waive any requirement for a hearing under Idaho Code § 33-1209(3) to be conducted within 90 days of her request for a hearing. This waiver applies to any hearing request made before the Commission ultimately rejects this Stipulation (if it does) or before Ms. Hathorne ultimately rejects a modified stipulation (if Ms. Hathorne does). If the Commission ultimately rejects this Stipulation or if Ms.

Hathorne ultimately rejects a modified stipulation, and Ms. Hathorne has requested a hearing, the 90-day hearing timeframe will begin from the ultimate rejection.

E. General Acknowledgments

29. This Stipulation contains the entire agreement between the parties, and Ms. Hathorne is not relying on any other agreement or representation, whether verbal or written.

30. This Stipulation, if approved by the Commission, or modified and approved, resolves a contested case. If approved, the Stipulation, consent order, and any attachment are public records. And if approved, the Commission may make available through its or the State Department of Education's website a copy of the Stipulation, consent order, and any attachment, and may report any discipline to the national clearinghouse for teacher certification.

31. Ms. Hathorne agrees that she has read this Stipulation, has had the opportunity to discuss it with legal counsel, if she so chose, and understands that by signing below, she will be agreeing to the terms of this Stipulation.

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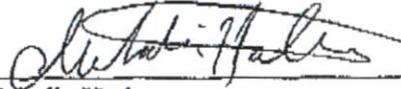
STIPULATION - 4
Melodie Hathorne

SIGNATURES

Respondent

The respondent, Melodie Hathorne, agrees to this Stipulation.

DATED this 6th day of September, 2017.



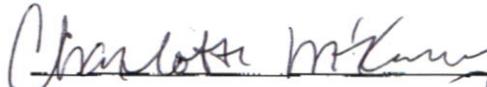
Melodie Hathorne
Respondent

Executive Committee

The Executive Committee recommends that the Commission enter an Order based upon this Stipulation.

DATED this 15 day of Sept., 2017.

IDAHO PROFESSIONAL STANDARDS
COMMISSION EXECUTIVE COMMITTEE



Charlotte McKinney Member

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 21 day of September, 2017, I caused to be served a true and correct copy of the foregoing by the following method to:

Paul Stark
General Counsel
Idaho Education Association
620 N. Sixth St.
Boise, Idaho 83702

- U.S. Mail
- Hand Delivery
- Certified Mail, Return Receipt Requested
- Overnight Mail
- Facsimile:
- Email:

Robert A. Berry
Deputy Attorney General
P.O. Box 83720
Boise, ID 83720-0010

- U.S. Mail
- Hand Delivery
- Certified Mail, Return Receipt Requested
- Overnight Mail
- Facsimile: (208) 854-8073
- Email: robert.berry@ag.idaho.gov
leslie.gottsch@ag.idaho.gov



Shannon H. Haas
Program Specialist
Idaho State Department of Education



STATE OF IDAHO
PROFESSIONAL STANDARDS COMMISSION
STATE DEPARTMENT OF EDUCATION
PO BOX 83720
BOISE, IDAHO 83720-0027

OFFICE
650 W State Street
PHONE
(208) 332-6884
FAX
(208) 334-2228
SPEECH/HEARING IMPAIRED
(800) 377-3529

RE: Melodie Hathorne
Professional Standards Commission Case No. 21638

LETTER OF REPRIMAND

The Professional Standards Commission, in accord with Idaho Code §§ 33-1208 and 33-1209, and the Stipulation and Consent Order in this matter, issues a formal reprimand to Melodie Hathorne (Ms. Hathorne).

Ms. Hathorne holds the following certificates and endorsement: Standard Secondary Certificate with English 6/12 endorsement – effective September 1, 2014 – valid until August 31, 2019. Ms. Hathorne was a language arts teacher with Twin Falls School District during the relevant time. On or about August 13, 2016, a party involving juvenile students and the consumption of alcohol took place at Ms. Hathorne's residence while she was there. The Executive Committee determined that probable cause exists for initiating an administrative action against Ms. Hathorne for violating the following laws and rules governing teacher certification: a. Code of Ethics Principle II (Idaho Admin. Code r. 08.02.02.076.03.i).

Ms. Hathorne, although not admitting that she violated the following laws and rules governing teacher certification, acknowledges that there is sufficient evidence to support a finding of a violation of the following laws and rules governing teacher certification:

A copy of this letter of reprimand will be placed in Ms. Hathorne's certification file.

DATED this 21 day of September, 2017.

IDAHO PROFESSIONAL STANDARDS COMMISSION

By: Elisa Saffle
Elisa Saffle, Member

cc: Melodie Hathorne, Respondent
Paul Stark, Respondent's Counsel
Robert A. Berry, Attorney for the Chief Certification Officer